

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RHE-TECH, LLC,

Plaintiff,

v.

Case No. 21-11895

JUSHI USA FIBERGLASS CO. LTD,

Defendant.

**ORDER DENYING IN PART MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION AND SETTING FURTHER DEADLINES**

On August 16, 2021, Plaintiff filed both its Complaint and a “Motion for Temporary Restraining Order and Preliminary Injunction.” On the same date, Plaintiff sent this motion by first-class mail to Defendant’s attorneys of record. The court has reviewed Plaintiff’s motion and determined that the requirements for issuing a temporary restraining order under Federal Rule of Civil Procedure 65(b) are not met in this case. Specifically, Plaintiff’s Complaint fails to convince the court that “*immediate* and *irreparable* injury, loss, or damage will result . . . before the adverse party or that party’s attorney can be heard in opposition.” Fed. R. Civ. P. 65(b)(1)(A) (emphasis added). Accordingly,

IT IS ORDERED that Plaintiff’s “Motion for Temporary Restraining Order and Preliminary Injunction” (ECF No. 2) is DENIED IN PART. Specifically, it is DENIED with respect to the request for a temporary restraining order. Plaintiff is DIRECTED to effectuate proper service of its Complaint and Motion on Defendant **by Friday, August 20, 2021.**

IT IS FURTHER ORDERED that counsel are DIRECTED to appear at an in-person conference to discuss the necessary course of action and the request for a preliminary injunction on **Friday, August 27, 2021, at 9:30 a.m.** Party representatives with effectively full settlement authority are required to appear.¹

IT IS FURTHER ORDERED that the court will conduct a hearing for the preliminary injunction on **Thursday, September 9, 2021, at 1:30 p.m.**

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 18, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 18, 2021, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(810) 292-6522

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¹ Attached to this opinion as an exhibit is a draft scheduling order, which will be entered after the in-person status conference noted above. Counsel should review the exhibit to notify and familiarize themselves with what will be expected of them after the conference.